



AFRICAN UNION
INTERAFRICAN BUREAU
FOR ANIMAL RESOURCES



ADVOCACY NOTE

Strengthening Africa's Capacity for Adherence to, Domestication and Implementation of Global Fisheries Management Instruments and their Implications for the African Continent

A case study for:

- i. The United Nations Fish Stocks Agreement (UNFSA);
- ii. The Port State Measures Agreement (PSMA); and,
- iii. The FAO Compliance Agreement: Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas



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Citation: *AU-IBAR, 2026: Advocacy Note: Strengthening Africa's Capacity for Increased Adherence to, domestication and Implementation of Global Fisheries Management Instruments: and their implications for the African Continent.*

Published by: AU-IBAR, Nairobi, Kenya

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Key words: *Global Instruments, Ratification, Domestication, Implementation, Fisheries Management, Aquatic Biodiversity Conservation.*

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Acknowledgements: The Director of AU-IBAR extends appreciation to all the experts from AU Member States, Regional Institutions and partners that participated in the Continental training workshop on processes and procedures to increased ratification, domestication and implementation of Global Instruments and contributed immensely to improving the quality of the report. The technical facilitating role of the Prof. Waiswa Wilson Mwanja is also duly acknowledged. This work was carried out with financial support from the Swedish International Development Cooperation Agency (SIDA) for which we are very grateful. The editorial work was carried out by AU-IBAR Technical Team.

EXECUTIVE SUMMARY

Africa's fisheries and aquatic ecosystems are strategic assets for food security, employment, trade, biodiversity conservation, and the realization of Agenda 2063 and the Africa Blue Economy Strategy. However, the Continent continues to face significant losses from Illegal, Unreported and Unregulated (IUU) fishing due mainly to limited Monitoring and Surveillance systems, weak capacity for participation in high Seas governance systems, insufficient scientific capacity, and fragmented institutional coordination.

This Advocacy Note is consolidated out of the deliberations and emerging issues during the Continental training workshop, organized by the SIDA funded Project on “Conserving Aquatic Biodiversity in African Blue Economy”, in March 2026, Lomé, Togo, to enhance ratification, domestication and implementation of the following Global fisheries management Instruments:

- i. The United Nations Fish Stocks Agreement (UNFSA);
- ii. The Port State Measures Agreement (PSMA); and,
- iii. The FAO Compliance Agreement: Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas

These Key Global fisheries Instruments, provide a coherent legal framework to strengthen conservation, enforcement, transparency, and International cooperation. Together, these Instruments enhance flag State responsibility, reinforce port-based controls, promote ecosystem-based management, and improve compliance mechanisms.

Despite broad awareness of these Instruments among African Union Member States (AU-MSs), ratification and effective implementation remain uneven. Major constraints include weak vessel registries, inadequate Monitoring, Control and Surveillance (MCS) systems, limited port inspection capacity, insufficient digital infrastructure, financial limitations, and gaps in inter-agency coordination.

Strengthening Continental capacity presents transformative opportunities. Effective adherence and implementation can significantly reduce IUU fishing, restore shared fish stocks, enhance food security, increase government revenues, improve access to premium Seafood markets, and strengthen Africa's negotiating power within Regional Fisheries Management Organizations. Port-based enforcement under the PSMA offers cost-effective deterrence, while strengthened flag State control and Regional cooperation reinforce long-term sustainability.

To accelerate progress, priority actions include establishing an AU-level fisheries governance support mechanism, adopting a Continental implementation roadmap, creating a dedicated African environmental financing facility, strengthening Regional technical units within RECs and RFMOs, investing in digital compliance systems, and institutionalizing annual ministerial compliance reviews.

A coordinated Continental approach, anchored in legal reform, institutional strengthening, scientific investment, digital modernization, and sustainable financing, will enable AU-MSs to transform International obligations into tangible economic, environmental, and social gains. Strengthened implementation of Global fisheries Instruments is not only a governance necessity but a strategic pathway to advancing Africa's Blue Economy transformation and Global leadership in sustainable Ocean governance.

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I. INTRODUCTION

African Union Inter-African Bureau for Animal Resources (AU-IBAR) is a specialized technical office of the Department of Rural Economy and Agriculture (DREA) of the African Union Commission (AUC). AU-IBAR's mandate is to support and coordinate the sustainable development and utilization of animal resources (Livestock, fisheries, aquaculture and wildlife) to enhance nutrition and food security and contribute to the wellbeing and prosperity of the people in the Member States of the African Union.

Africa is endowed with expansive aquatic ecosystems that contain significant aquatic biodiversity but they are faced with increasing pressure from diverse users and climate change effects including; extreme and destructive weather events, Sea level rise, prolonged droughts and wildfires, urbanisation and related reclamation, sewerage and industrial related pollution, plastic wastes etc. The AU's interest is to conserve the Blue Economy Resources (BERs) and foster sustainable access to Blue Ecosystems (BES) services.

One way for achieving these targets is to support AU-MSs in ratifying, domesticating and implementing relevant Continental and Global Instruments for rational fisheries management, aquatic biodiversity conservation, climate change mitigation and environmental sustainability.

1.1 Overall Objective

The overall objective of this Advocacy Note is to increase awareness among AU MSs and strengthen their capacity for informed decision making towards increased ratification, domestication and implementation of Global Instruments related to fisheries management and the fisheries resources biodiversity conservation, climate change, and environmental sustainability.

1.2 Workshop Process and Basis of this Advocacy Note

This Advocacy Note is evidence-based and is derived directly from the outcomes of the AU-IBAR Continental Expert Training Workshop held in Lomé, Togo (10th – 12th March, 2026). The workshop combined expert presentations, Country case studies, interactive plenary discussions, thematic group work, and field visits to the Port of Lomé cargo and fisheries ports. These complementary approaches enabled participants to examine practical experiences in implementing the UNFSA, PSMA and FAO Compliance Agreement and to identify priority actions for African Union Member States.

The principal workshop outputs included: (i) enhanced technical understanding of the three Global fisheries Instruments; (ii) Country experiences on ratification, domestication and implementation; (iii) identification of legal, institutional, financial and technological gaps; (iv) consensus priority actions for AU Member States, RECs and AU-IBAR; (v) recommendations on sustainable financing, regional coordination and capacity development; and (vi) this Advocacy Note to guide policy dialogue and decision-making.

Expected outcomes include increased political commitment for ratification, strengthened National implementation roadmaps, improved institutional coordination, enhanced Monitoring, Control and Surveillance systems, stronger Regional cooperation, and accelerated implementation of Global fisheries governance Instruments across Africa.

This Advocacy Note examines three Global Instruments relevant to fisheries management and Aquaculture and Aquatic biodiversity conservation, social equity, climate change mitigation and environmental management. To assist the AU-MSs and other stakeholders in enhancing their domestication, ratification and implementation processes in Africa, the Advocacy Note sets out recommendations, implementation guidelines, and priority activities.

2. KEY FINDINGS AND OUTPUTS OF THE CONTINENTAL EXPERT TRAINING WORKSHOP

The Continental Expert Training Workshop held in Lomé, Togo, from 10th – 12th March, 2026 brought together representatives of African Union Member States (AU-MSs), Regional Economic Communities (RECs), Regional Fisheries Bodies (RFBs), International organizations, academia and development partners to strengthen Continental capacity for ratification, domestication and implementation of priority Global instruments related to fisheries management, aquatic biodiversity conservation and environmental governance. Through expert presentations, Country case studies, interactive discussions, thematic group work and field visits to the Port of Lomé, participants critically examined the legal, institutional, technical and operational requirements for implementing the United Nations Fish Stocks Agreement (UNFSA), the FAO Compliance Agreement and the Port State Measures Agreement (PSMA), alongside complementary biodiversity and environmental Instruments.

The workshop established that although awareness of these Instruments is relatively high across many African Union Member States, progress in ratification, domestication and effective implementation remains uneven. The principal constraints identified include inadequate legal harmonization, limited Monitoring, Control and Surveillance (MCS) capacity, weak vessel registration and licensing systems, insufficient scientific information for fisheries management, inadequate digital infrastructure, fragmented institutional coordination, shortage of trained personnel, and inadequate financial resources for implementation. Participants further observed that Illegal, Unreported and Unregulated (IUU) fishing continues to undermine sustainable fisheries management, food security, biodiversity conservation and national revenues throughout the Continent.

The workshop also highlighted significant opportunities that could be realized through strengthened adherence to these Instruments. Participants recognized that effective implementation would improve conservation of shared fish stocks, strengthen port and flag State responsibilities, enhance Regional cooperation through RECs and Regional Fisheries Management Organizations (RFMOs), improve market access through strengthened traceability and compliance, increase National revenues, and contribute directly to implementation of the African Blue Economy Strategy and Agenda 2063. The field visits to the Cargo Port and Fisheries Port of Lomé demonstrated practical application of port inspection

systems, fisheries infrastructure, Regional cooperation, and awareness initiatives for sustainable fisheries management, thereby reinforcing the practical value of the Port State Measures Agreement.

Among the major outputs of the workshop were consensus recommendations on priority actions for Member States and Regional Institutions. These included establishment of National technical focal points to coordinate ratification and implementation processes; development of National roadmaps for domestication of Global Instruments; strengthening legal and institutional frameworks; investment in modern MCS technologies including Vessel Monitoring Systems (VMS), Automatic Identification Systems (AIS) and digital fisheries information systems; strengthening scientific research and fisheries data systems; establishment of Regional support mechanisms under AU-IBAR, RECs and RFBs; development of sustainable financing mechanisms for implementation; and institutionalization of regular monitoring and reporting on progress made by Member States. Participants further recommended enhanced Regional harmonization, increased technical cooperation, stronger political commitment and continued Continental capacity-building initiatives coordinated through AU-IBAR.

Overall, the workshop generated a common Continental understanding of the practical steps required to accelerate ratification, domestication and implementation of the three priority global fisheries management Instruments. The findings provide the evidence base for this Advocacy Note and offer a practical roadmap for African Union Member States, Regional Economic Communities, Regional Fisheries Bodies and development partners to strengthen fisheries governance, combat IUU fishing, conserve aquatic biodiversity and advance sustainable Blue Economy development across Africa.

3. SYNOPSIS OF THE KEY IDENTIFIED GLOBAL FISHERIES RESOURCES MANAGEMENT AND CONSERVATION INSTRUMENTS

3.1 United Nations Fish Stocks Agreement (UNFSA): Implications and Strategic Considerations for African Union Member States.

Background – This briefing provides a concise overview of the United Nations Fish Stocks Agreement (UNFSA) (1995), its relevance to African Union (AU) Member States, core obligations, implementation challenges, and strategic benefits of full adherence and implementation.

The United Nations Fish Stocks Agreement (UNFSA) is the implementing Agreement under the United Nations Convention on the Law of the Sea (UNCLOS) for the conservation and management of straddling fish stocks and highly migratory fish stocks. It was adopted in response to declining fish stocks, weak high Seas governance, limited enforcement of conservation measures, reflagging of vessels to escape controls, and insufficient International cooperation.

The Agreement's objective is to ensure the long-term conservation and sustainable use of these stocks through effective International cooperation and implementation of science-based management principles. It operationalizes key principles including:

- Precautionary approach
- Ecosystem-based fisheries management
- Compatibility of measures between EEZs and high Seas
- Strengthened flag State control
- Regional cooperation through RFMOs
- Binding compliance and enforcement mechanisms

Core Obligations: AU-MSs obligations under the Convention

a. Science-Based Conservation

- Adopt measures to maintain or restore fish stocks to sustainable levels.
- Apply the precautionary approach when scientific uncertainty exists.
- Protect associated and dependent species and Marine biodiversity.

b. Compatibility of Measures

- Ensure conservation measures within National jurisdiction are compatible with those applied on the high Seas.

c. Regional Cooperation

- Cooperate through RFMOs or establish appropriate Regional arrangements.
- Share data and participate in joint decision-making processes.

d. Strengthened Flag State Control

- Exercise effective control over vessels flying the National flag.
- Implement licensing systems, vessel monitoring systems (VMS), observer programs, and enforcement mechanisms.
- Investigate and sanction violations regardless of where they occur.

e. Port State Responsibilities

- Take measures in ports to promote compliance with International conservation rules.

f. Special Provisions for Developing States

- Recognition of the special needs of developing States.
- Access to financial, scientific, and technical assistance for implementation.

Benefits to AU-MSs implementing the Convention – For AU Member States, full adherence delivers:

- Long-term sustainability of shared and migratory stocks.
- Improved food security and protection of artisanal fisheries.
- Stronger International credibility and governance standards.

- Enhanced Regional integration and cooperative enforcement.
- Greater resilience to climate-related shifts in fish stock distribution.

UNFSA transforms fisheries governance from fragmented National management to coordinated Regional stewardship.

Strategic Opportunities for AU Member States: Ratification and full implementation present significant opportunities:

- Strengthened Blue Economy Governance:* Alignment with AU Agenda 2063, the AU Blue Economy Strategy, and Regional fisheries reform frameworks.
- Reduced IUU Fishing:* Improved enforcement reduces stock depletion and economic losses estimated at billions annually across African waters.
- Increased Economic Returns:* Sustainable stock management enhances long-term licensing revenue, export earnings, and domestic value addition.
- Improved Market Access:* Compliance strengthens eligibility for premium Seafood markets with strict traceability and sustainability standards.
- Enhanced Regional Influence:* Active participation in RFMOs increases Africa's negotiating power regarding quotas and conservation measures.
- Access to Technical and Financial Assistance:* UNFSA provides mechanisms for financial support, technology transfer, and capacity development for developing States.

Key Implementation Challenges in Africa

1. Limited Monitoring, Control and Surveillance (MCS) systems.
2. Weak or fragmented flag State enforcement capacity.
3. Insufficient stock assessment data and scientific infrastructure.
4. Limited negotiating leverage within RFMOs due to technical gaps.
5. Financial constraints affecting observer programs and digital tracking systems.
6. Governance coordination challenges between fisheries, maritime security, and environmental authorities.

Without strengthened implementation, Africa remains vulnerable to IUU fishing, stock depletion, and revenue losses.

Solutions to Identified Challenges in Implementing UNFSA

1. Limited Monitoring, Control and Surveillance (MCS) Capacity: Challenges in this regard include weak vessel monitoring systems (VMS), limited patrol assets, low inspection coverage, and poor inter-agency coordination

Suggested Solutions including the following

- Deploy integrated VMS, AIS, and satellite-based surveillance systems.
- Establish regional MCS coordination centres under AU or Regional Economic Communities (RECs).
- Adopt risk-based inspection strategies to prioritize high-risk vessels.

- Promote joint patrols and shared maritime assets.
- Strengthen inter-agency task forces linking fisheries, navy, coast guard, customs, and judiciary.
- Expand electronic catch documentation and e-logbooks.

2. Weak Flag State Enforcement: Challenges in this regard include inadequate vessel registries, poor compliance investigations, and insufficient sanctions

Suggested Solutions to identified challenges include the following:

- Establish transparent and updated National fishing vessel registries.
- Introduce mandatory licensing linked to compliance history.
- Enact stronger penalties aligned with UNFSA requirements.
- Develop specialized fisheries compliance units.
- Implement performance audits of flag State control systems.
- Adopt automatic license suspension mechanisms for serious violations.

3. Insufficient Scientific Data and Stock Assessments: Challenges in this regard include limited research capacity, inadequate data collection systems, and poor participation in RFMO science committees

Suggested Solutions to identified challenges include the following:

- Establish regional fisheries science hubs and shared stock assessment platforms.
- Strengthen observer programs and data verification systems.
- Adopt standardized data collection protocols across AU Member States.
- Promote partnerships with Universities and International research institutions.
- Invest in digital fisheries data management systems.
- Encourage South-South scientific collaboration within Africa.

4. Limited Technical Capacity in RFMOs: Challenges in this regard include weak negotiation leverage, limited policy analysis capacity, and underrepresentation in technical committees.

Suggested Solutions to identified challenges include the following:

- Create an AU Fisheries Negotiation Support Unit.
- Provide technical training for RFMO delegates.
- Develop Continental position papers before RFMO meetings.
- Strengthen coordination among African RFMO members.
- Establish mentorship programs for junior fisheries negotiators.

5. Financial Constraints: Challenges in this regard include high cost of VMS, patrols, observers, limited National budget allocation, and competing development priorities.

Suggested Solutions to identified challenges include the following:

- Establish an African Fisheries Compliance & Sustainability Fund.

- Leverage climate finance (GEF, Green Climate Fund, Blue Bonds).
- Allocate a portion of fishing license revenues to compliance systems.
- Promote public-private partnerships in surveillance technology.
- Access UNFSA special assistance provisions for developing States.

6. Governance Fragmentation: Challenges in this regard include overlapping mandates, weak inter-ministerial coordination, and legal inconsistencies

Suggested Solutions to identified challenges include the following:

- Conduct National legal gap analyses for UNFSA alignment.
- Harmonize fisheries legislation across RECs.
- Establish inter-ministerial Blue Economy coordination platforms.
- Integrate fisheries governance into National maritime security strategies.
- Strengthen judicial training on fisheries-related offenses.

7. IUU Fishing Pressure: Challenges in this regard include foreign industrial fleets, weak sanctions, and transshipment loopholes

Suggested Solutions to identified challenges include the following:

- Implement full port State controls aligned with International standards.
- Regulate and monitor high Seas trans-shipment activities.
- Publish IUU vessel lists and deny port access.
- Strengthen cooperation with INTERPOL and International enforcement bodies.
- Improve traceability systems for export markets.

8. Limited Awareness and Political Prioritization: Challenges in this regard include low political visibility of high Seas governance and limited understanding of UNFSA benefits.

Suggested Solutions to identified challenges include the following:

- Conduct Ministerial-level awareness campaigns.
- Develop National Blue Economy performance scorecards.
- Integrate UNFSA implementation into AU Agenda 2063 reporting.
- Showcase economic loss data linked to IUU fishing to build political momentum.

Cross-Cutting Continental Actions – To ensure sustained implementation the following we need to be undertaken:

1. Develop an AU Continental UNFSA Implementation Roadmap.
2. Establish annual AU compliance review forums.
3. Create a Continental fisheries data-sharing platform.
4. Promote Gender-responsive and small-scale fisheries inclusion.
5. Integrate climate change adaptation into fisheries management systems.

Strategic Outcome: By addressing these challenges through coordinated legal reform, scientific strengthening, enforcement modernization, and financial mobilization, AU Member States can:

- Reduce IUU fishing
- Restore shared fish stocks
- Increase revenue and food security
- Strengthen Continental bargaining power
- Advance Africa's Blue Economy transformation

Policy Considerations for fisheries managers/leaders

1. Accelerating ratification among non-Parties.
2. Conducting National legal gap analyses for alignment with UNFSA obligations.
3. Strengthening MCS infrastructure and digital monitoring systems.
4. Investing in regional stock assessment science and data-sharing platforms.
5. Enhancing coordination under AU and Regional Economic Communities.
6. Leveraging International funding mechanisms to support implementation.

The UN Fish Stocks Agreement provides a legally robust and Internationally recognized framework for sustainable management of straddling and highly migratory fish stocks. For African Union Member States, ratification and effective implementation are not merely compliance measures—they are strategic investments in economic resilience, food security, maritime governance, and Blue Economy transformation. Africa's collective action under UNFSA can shift the Continent from vulnerability to leadership in Global fisheries governance.

3.2 FAO Compliance Agreement (1993): Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas.

Background – The FAO Compliance Agreement was adopted on 24th November, 1993 by the FAO Conference (Resolution 15/93) within the framework of Article XIV of the FAO Constitution. It emerged in response to growing Global concerns over:

- Reflagging of fishing vessels to avoid conservation rules
- Weak flag State control over high Seas vessels
- Declining fish stocks due to non-compliance with International conservation measures
- Lack of transparency and Global information sharing

The Agreement aims to strengthen flag State responsibility for fishing vessels operating on the high Seas and to prevent activities that undermine international conservation and management measures. It is widely recognized as a precursor and foundational instrument to the UN Fish Stocks Agreement (1995) and later IUU-focused Instruments.

Core Obligations of Member States: This Agreement primarily strengthens flag State responsibility and transparency obligations.

- a. Flag State Authorization (Article III) – Under this article Parties are required to ensure that:
 - No vessel may fish on the high Seas without explicit authorization by the flag State.
 - States can exercise effective control over vessels flying their flag.
 - Authorization must be denied to vessels previously involved in undermining conservation measures unless strict conditions are met.
 - Vessel Records (Article IV) – Under this article, Parties are obligated to ensure that:
 - States maintain a record of fishing vessels authorized to operate on the high Seas under their respective flags.
 - All vessels are properly marked and identifiable.
- b. Information Exchange (Article VI) - Under this article, parties are obligated to ensure that:
 - States submit detailed vessel information to FAO.
 - Modifications, deletions, suspensions, and sanctions are promptly reported.
 - FAO circulates information to Parties and relevant fisheries organizations.
 - Enforcement Measures (Article III.8) - Under this article, parties are obligated to ensure that:
 - sanctions are sufficiently severe to secure compliance.
 - serious violations include refusal, suspension, or withdrawal of fishing authorization.
- c. International Cooperation (Article V) – Under this article, parties are obligated to ensure that:
 - Parties cooperate in investigations.
 - Port States notify flag States of suspected violations.
 - Parties are encouraged to enter cooperative arrangements.
 - Assistance to Developing Countries (Article VII) - Under this article, Parties are obligated to ensure that:
 - Parties cooperate to provide technical assistance to developing Countries.

Benefits to AU-MSs implementing the FAO Compliance Agreement – These include the following:

- a. Reduction of IUU Fishing: Stronger flag State control reduces illegal reflagging and high Seas non-compliance.
- b. Protection of Fish Stocks: Supports sustainable management of migratory and shared stocks critical to food security.
- c. Improved Revenue Collection: Prevents revenue losses associated with non-compliant vessels.
- d. Enhanced Market Access: Compliance strengthens traceability and sustainability credentials in export markets.
- e. Strengthened Continental Governance: Supports AU fisheries reform strategies and Blue Economy ambitions.
- f. Increased International Standing: Demonstrates responsible maritime governance and commitment to international law.

Opportunities for Ratification and Implementation FAO Compliance Agreement:

- Strengthening flag State credibility in International fisheries governance.
- Improved participation and influence within RFMOs.
- Alignment with UNFSA, Port State Measures Agreement (PSMA), and the FAO Code of Conduct for Responsible Fisheries.
- Enhanced transparency and reduced exposure to IUU fishing networks.
- Access to technical assistance and capacity-building support.
- Improved data systems for Blue Economy planning and climate adaptation.

Challenges for AU-MSs implementation of the FAO Compliance Agreement:

1. **Weak Vessel Registries and Transparency Systems** Many States lack centralized, digital, and updated high Seas vessel records.
2. **Limited Enforcement Capacity** Insufficient investigative capacity and limited sanctions enforcement.
3. **Reflagging and Beneficial Ownership Issues** Complex ownership structures complicate effective control.
4. **Insufficient Reporting and Data Systems** Delays or gaps in submission of vessel information to FAO.
5. **Financial and Technical Constraints** Limited capacity for monitoring and compliance verification.
6. **Fragmented Maritime Governance** Weak coordination between fisheries authorities, maritime administrations, and enforcement agencies.

Suggested solutions to Identified Challenges in Implementing the FAO Compliance Agreement include the following:

1. Weak Vessel Registries and Transparency Systems - Challenges here include outdated or incomplete high Seas vessel records, manual or fragmented registry systems, and poor vessel identification and marking standards

Suggested Solutions include the following:

- a. *Digitalization of National Vessel Registries* which requires establishing centralized electronic fishing vessel registries, integrating registry systems with maritime administration and port authorities, and ensuring real-time updating of vessel status, ownership, and authorization.
- b. *Alignment with FAO Global Record Standards*, this requires harmonize of National records collection, storage, retrieval, analysis and commonly agreed to analysis or deduction guided by FAO vessel information requirements. The Parties should also seek to adopt standardized vessel marking and identification protocols.
- c. *Transparency Mechanisms* with a suggestion to publish authorized high Seas vessel lists online, and to link registry data with licensing and compliance history.

2. Limited Enforcement and Sanctions Capacity - Key challenges here include the weak investigative procedures, low prosecution rates, and having insufficiently deterrent penalties

Suggested Solutions here include the following:

- a. *Strengthen National Legal Frameworks*: This involves amending fisheries legislation to explicitly incorporate FAO Compliance obligations, and defining serious violations along with clear sanction regimes against such violations.
- b. *Specialized Fisheries Compliance Units*: This involves establishing dedicated high Seas compliance and investigation units in management agencies, and providing appropriate training on evidence gathering, vessel inspection, and case management.
- c. *Judicial Capacity Building*: This involves training prosecutors and magistrates on fisheries-related offenses, and developing sentencing guidelines aligned with deterrence principles.

3. Reflagging and Beneficial Ownership Challenges - Challenges here include “flag hopping” to avoid sanctions, opaque ownership structures, and having weak due diligence before re-registration.

Suggested Solutions for the above challenges include the following:

- a. *Due Diligence Procedures*: This involves requiring disclosure of beneficial ownership before vessel registration, and conducting compliance history checks prior to reflagging approvals.
- b. *Regional Information Sharing*: This involves establishing AU-level reflagging alert systems, and sharing vessel compliance histories across RECs and RFMOs.
- c. *Automatic Disqualification Mechanisms*: This involves denying authorization to vessels with recent suspension or withdrawal history unless compliance conditions are fully met.

4. Insufficient Reporting and Data Exchange - Key challenges here include delayed or incomplete reporting to FAO, weak coordination between agencies, and poor data management systems

Suggested Solutions include the following:

- a. *Designate National Reporting Focal Points*: This involves assigning a dedicated authority responsible for FAO reporting and developing internal reporting timelines and compliance calendars.
- b. *Integrated Data Systems*: This involves linking vessel registry databases with MCS systems and licensing platforms, and introducing electronic reporting templates aligned with FAO requirements.
- c. *Regular Compliance Audits*: This involves conducting annual internal reviews of reporting accuracy and timeliness.

5. Financial and Technical Constraints - Key challenges here include limited resources for digital systems, budget constraints for inspections and monitoring, competing development priorities.

Suggested Solutions include the following:

- a. *Establish Fisheries Compliance Funds*: This involves allocating a percentage of license fees to compliance infrastructure, and ring-fencing revenue from high Seas authorizations for monitoring purposes.
- b. *Leverage Development Financing*: This involves accessing technical assistance through FAO and International partners, and integrating compliance capacity into Blue Economy and climate finance programs.

- c. *Regional Resource Pooling*: This involves sharing surveillance technology and compliance expertise at REC level, and developing joint training centres for fisheries inspectors.

6. Fragmented Maritime Governance: Key challenges here were identified as overlapping mandates among fisheries, maritime, customs, and defense agencies, weak inter-ministerial coordination, and inconsistent policy alignment

Suggested Solutions include the following:

- a. *Establish Inter-Ministerial Blue Economy Platforms*: This involves formalizing coordination between fisheries, maritime transport, environment, and security agencies.
- b. *Legal Harmonization*: This involves conducting National gap analyses to align domestic laws with the Compliance Agreement, and harmonizing fisheries legislation within RECs or those with shared fish stocks.
- c. *National High Seas Authorization Committees*: This involves creating multi-agency review bodies for high Seas fishing authorizations.

Cross-Cutting Continental Actions: To accelerate implementation across AU Member States the following will be taken across MSs:

1. Develop and adoption of a commonly agreed to AU Continental Compliance Roadmap aligned with the Compliance Agreement.
2. Establishing annual peer-review mechanisms under AU fisheries governance platforms.
3. Promoting regional vessel information-sharing systems.
4. Strengthening cooperation with RFMOs and FAO for technical support.
5. Integrating Gender and small-scale fisheries considerations into high Seas governance reforms.

Strategic Impact of Implementing above Actions

If implemented, these solutions and actions will:

- Strengthen flag State credibility and accountability
- Reduce reflagging and IUU fishing risks
- Improve fisheries sustainability and stock conservation
- Increase state revenues and market confidence
- Enhance Africa's leadership in Global fisheries governance

The FAO Compliance Agreement is a cornerstone Instrument in Global fisheries governance, focusing specifically on strengthening flag State responsibility and transparency for high Seas fishing vessels. For African Union Member States, ratification and effective implementation provide strategic advantages in combating IUU fishing, enhancing fisheries sustainability, protecting economic interests, and reinforcing Africa's leadership in responsible Ocean governance.

3.3 Port State Measures Agreement (PSMA) (2009)

Background – The Port State Measures Agreement (PSMA) was adopted on 22nd November, 2009 under Article XIV of the FAO Constitution and entered into force in 2016. It is the first binding International agreement specifically targeting Illegal, Unreported and Unregulated (IUU) fishing.

The Agreement recognizes that port States have Sovereign authority over ports and that port controls represent a powerful and cost – effective mechanism to prevent IUU-caught fish from entering Global markets. Its objective is to prevent, deter and eliminate IUU fishing through effective port State measures, thereby ensuring the long-term conservation and sustainable use of Marine resources.

PSMA complements earlier Instruments including the FAO Compliance Agreement (1993), UN Fish Stocks Agreement (1995), and the FAO Code of Conduct for Responsible Fisheries.

The PSMA is a cornerstone Global Instrument in the fight against IUU fishing. For AU-MSs, ratification and effective implementation offer a strategic pathway to protect fisheries resources, strengthen food security, enhance economic returns, and reinforce Africa's leadership in sustainable Ocean governance.

PSMA shifts the enforcement focus from costly at-Sea interventions to efficient port-based controls, making it particularly suitable for developing Coastal States seeking impactful and cost-effective fisheries governance reforms.

Core Obligations of Member States

- a. Designation of Ports (Article 7):** This article obligates Parties to designate and publicize ports authorized to receive foreign fishing vessels, and to ensure ports have capacity to conduct inspections.
- b. Advance Notification Requirements (Article 8 & Annex A):** The Parties to ensure that all vessels provide detailed information prior to Port entry, including vessel identity, fishing authorizations, transshipment details, and catch data (Annex A, pp. 24–25 shows detailed standardized reporting templates.)
- c. Authorization or Denial of Entry (Article 9):** This requires Parties to decide whether to allow or deny port entry based on evidence of IUU fishing, and to deny entry to vessels listed for IUU activities.
- d. Denial of Use of Port Services (Article 11):** This requires that Parties deny landing, transshipment, processing, refuelling, and other services to non-compliant vessels.
- e. Inspections (Articles 12–14 & Annexes B and C):** This requires that Parties conduct inspections at sufficient levels annually, follow standardized inspection procedures (Annex B, pp. 26–27), and use harmonized inspection reporting formats (Annex C, pp. 28–30).
- f. Information Sharing (Article 16 & Annex D):** This article requires that Parties to establish electronic information exchange mechanisms, share inspection results with flag States, RFMOs, FAO.
- g. Training of Inspectors (Article 17 & Annex E):** This article requires that Parties ensure inspectors are properly trained in evidence collection, species identification, VMS analysis, and inspection procedures.

- h. Special Requirements for Developing States (Article 21):** This article requires that Parties provide financial, technical, and capacity-building support, and establish funding mechanisms to assist implementation, especially tapping into proceeds from the proceeds from high Seas fishing.

Opportunities for Ratification and Implementation of the PSMA

These include the following:

1. Strengthened ability to block IUU fish from entering domestic and export markets.
2. Improved integration with EU IUU Regulation and Global Seafood traceability requirements.
3. Enhanced coordination under AU Blue Economy Strategy.
4. Access to International funding mechanisms and technical support under Article 21.
5. Regional harmonization of Port controls across RECs.
6. Increased confidence of International buyers in African Seafood exports.

Benefits of the Convention to AU-MSs.

- a. *Reduced IUU Fishing* – Port denial measures reduce profitability of illegal operations.
- b. *Improved Fish Stock Sustainability* – Prevents illegal landings and strengthens conservation compliance.
- c. *Increased Government Revenue* – Enhances legal trade flows and reduces revenue losses.
- d. *Enhanced Market Access* – Strengthens traceability and sustainability credentials in Global Seafood markets.
- e. *Strengthened Maritime Governance* – Integrates fisheries enforcement into broader port and maritime security frameworks.
- f. *Cost-Effective Enforcement* – Port controls are less expensive than high Seas patrol operations and can have high deterrent impact.

Key Challenges for AU Member States in implementing the PSMA

- a. Limited inspection capacity and insufficient trained inspectors.
- b. Weak digital systems for advance notification and information exchange.
- c. Insufficient port infrastructure in designated ports.
- d. Coordination gaps between fisheries, customs, port authorities, and maritime security agencies.
- e. Limited access to real-time RFMO IUU vessel lists.
- f. Financial constraints for implementing technology-based inspection systems.
- g. Risk of displacement effects (IUU vessels shifting to weaker ports).

The identified challenges and solutions in implementing the PSMA include the following:

- 1. Limited inspection capacity and insufficient trained inspectors:** key challenges identified were the low inspection coverage, limited expertise in species identification, documentation review, and evidence handling, and inconsistent inspection standards.

The suggested solutions include the following:

- a) Establish National port inspection units by creating specialized fisheries port inspection teams within designated ports, and developing risk-based inspection schedules to prioritize high-risk vessels.
- b) Establish Regional training centres with REC-based inspector training hubs, and implement standardized training aligned with PSMA Annex E competencies (inspection procedures, VMS analysis, evidence handling).
- c) Establish an inspector certification system by developing AU-recognized inspector accreditation programs, and introducing periodic refresher courses and peer-learning exchanges.

2. Weak Digital Systems and Information Exchange: key challenges here were the manual advance notification systems, the poor integration with RFMO databases, and the delayed communication with flag States.

The suggested solutions include the following:

- a. Developing of electronic advance notification platforms by implementing online Port entry request systems aligned with PSMA Annex A templates, and automating vessel data cross-checking against IUU vessel lists.
- b. Devis regional information-sharing mechanisms by creating an AU Port State Information Hub, and integrating National systems with FAO Global Record and RFMO databases.
- c. Acquire real-time data connectivity by linking port inspection systems with National VMS and AIS monitoring systems.

3. Insufficient Port Infrastructure: This is due to limited inspection facilities, inadequate storage and sampling equipment, and poor logistics for boarding and inspections.

The suggested solutions include the following:

- a. Strategic designation of ports by limiting designated PSMA Ports to those with minimum inspection capacity, and phasing expansion as capacity improves.
- b. Infrastructure investment plans by upgrading inspection rooms, cold storage sampling areas, and documentation facilities, and investing in handheld species identification tools and weighing equipment.
- c. Use Public-Private Partnerships to engage Port authorities and terminal operators in compliance infrastructure upgrades.

4. Inter-Agency Coordination Gaps: Key challenges here include overlapping mandates between fisheries, customs, maritime authorities, navy, and immigration, and delays in joint enforcement actions.

The suggested solutions include the following:

- a. Establish inter-agency port control committees by formalizing cooperation frameworks at each designated port, and developing joint standard operating procedures (SOPs).
- b. Establish integrated port control systems by aligning fisheries port inspections with broader Port State control regimes (shipping safety, customs clearance).

- c. Establish joint enforcement protocols by creating unified inspection and reporting templates shared across agencies.

5. Limited Access to RFMO IUU Vessel Lists: Key challenges include delays in receiving updated IUU vessel lists, and lack of automated screening.

The suggested solutions include the following:

- a. Subscription to RFMO Data Platforms by ensuring all designated ports have direct access to updated RFMO IUU vessel databases.
- b. Automated screening tools by integrating IUU vessel list screening into port entry authorization systems.
- c. Regional data harmonization by developing Continental IUU vessel alert mechanisms under AU coordination.

6. Financial Constraints: Key challenges here include the limited budget allocations, and the high costs of digital systems and inspector training.

The suggested solutions include the following:

- a. Establish National fisheries compliance funds by allocating a percentage of fisheries licensing revenues to PSMA implementation.
- b. Access International financing by utilizing FAO assistance mechanisms under Article 21, and leveraging climate and Blue Economy funding streams (GEF, Green Climate Fund, development banks).
- c. Cost-sharing mechanisms by introducing port inspection service fees for foreign fishing vessels.

7. Risk of displacement of IUU activities: Key challenges include IUU vessels shifting to weaker ports and inconsistent regional implementation.

The suggested solutions include the following:

- a. Regional harmonization of port controls by adopting minimum inspection standards across RECs, and conducting coordinated Regional inspection campaigns.
- b. Mutual recognition agreements by sharing denial-of-entry decisions across neighbouring States.
- c. Peer review mechanisms by establishing AU-level compliance review processes to identify weak links.

8. Legal and Regulatory Gaps: Key challenges here include outdated fisheries legislation, and inconsistent sanction provisions.

The suggested solutions include the following:

- a. Legal gap assessments by conducting comprehensive reviews of National laws against PSMA obligations.
- b. Develop model legislative templates for AU model PSMA-compliant fisheries legislation.
- c. Strengthen sanction regimes by ensuring penalties are proportionate and deterrent.

Cross-Cutting Continental Actions

To ensure effective PSMA implementation across Africa:

1. Develop an AU Continental PSMA Implementation Roadmap (5-year plan).
2. Create a Continental Port State Measures Coordination Platform.
3. Establish annual AU Port State Compliance Forums.
4. Promote South-South technical cooperation among African Coastal States.
5. Integrate PSMA implementation into broader Blue Economy and maritime security strategies.

Strategic impact of implementing the above cited solutions to the challenges of implementing PSMA include:

- Significantly reduction in IUU fish entering African ports
- Strengthening of sustainable fisheries management
- Protection of domestic fishers and National revenues
- Improvement of export market access and Seafood traceability
- Position Africa as a Global leader in port-based fisheries governance

3.4 Guidelines / Mechanisms for enhancing ratifications, domestication, and implementation of identified Instruments.

The need for heightened support of AU-MSs by African Union and RECs is critical and the two should work together more frequently to support AU-MSs with technical and legal support.

The following actions are recommended:

- a. Establish platforms and Focal Points or Desk Officers on the Blue Economy Sectors to oversee the improved ratification procedures;
- b. Create regular high-level conferences on the status of Treaties in collaboration with Ministerial Committee for reporting progress and on Challenges of Ratification / Accession and Implementation at AU;
- c. In addition, there is need to provide guidelines and technical support on how to domesticate and implement Treaties by AU-MSs; and,
- d. Creation of an effective database and tracking system for all Treaties that the Member States have ratified or adopted, and online forum for public access.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 *Conclusions*

The Continental Expert Training Workshop held in Lomé, Togo, demonstrated that accelerating the ratification, domestication and effective implementation of Global fisheries governance Instruments is both an urgent necessity and a strategic opportunity for Africa. The workshop reaffirmed that sustainable fisheries management, aquatic biodiversity conservation and environmental stewardship are fundamental to achieving the aspirations of Agenda 2063, the African Blue Economy Strategy, the Policy Framework and Reform Strategy for Fisheries and Aquaculture in Africa, and the Sustainable Development Goals. Participants recognized that the UNFSA, the FAO Compliance Agreement and the PSMA, together with complementary biodiversity and environmental Instruments, provide an integrated legal and institutional framework for combating IUU fishing, promoting sustainable utilization of aquatic resources, conserving biodiversity and strengthening Regional and International cooperation.

The workshop further established that while awareness of these Instruments has increased considerably among African Union Member States, progress in ratification, domestication and implementation remains uneven due to legal, institutional, financial, technical and human capacity constraints. Weak Monitoring, Control and Surveillance systems, inadequate scientific and technological capacity, fragmented institutional coordination, limited financing and insufficient political prioritization continue to impede effective implementation. Nevertheless, participants concluded that these challenges are surmountable through strengthened political commitment, coordinated Continental action, sustained investment in institutional and human capacity, enhanced Regional cooperation, and greater utilization of existing International financing and technical assistance mechanisms.

The participatory approach adopted during the workshop, including expert presentations, Country experience sharing, technical discussions, thematic group work, and field visits to the Lomé Cargo Port and Fisheries Port, enabled participants to develop a common understanding of implementation challenges and identify practical, evidence-based solutions. The field visits demonstrated that effective implementation of Global Instruments can generate tangible improvements in fisheries governance, port controls, Regional collaboration, resource conservation and sustainable Blue Economy development when supported by appropriate institutional arrangements and political commitment.

Overall, the workshop reached a broad consensus that enhanced implementation of Global fisheries and biodiversity Instruments represents one of the most cost-effective and sustainable pathways for strengthening Africa's fisheries governance architecture. The Advocacy Note therefore calls upon African Union Member States, AU-IBAR, Regional Economic Communities, Regional Fisheries Bodies, development partners and all relevant stakeholders to translate the commitments made during the Lomé Workshop into coordinated National, Regional and Continental actions. By doing so, Africa will be better positioned to safeguard its aquatic biodiversity, combat IUU fishing, improve food and nutrition security, strengthen

livelihoods, expand trade opportunities, build climate resilience and realise the full potential of its Blue Economy for present and future generations.

4.2 Recommendations

Drawing on the deliberations and consensus reached during the Continental Expert Training Workshop, the following priority recommendations are proposed to accelerate ratification, domestication and effective implementation of Global fisheries governance and aquatic biodiversity Instruments across Africa.

- 1. Strengthen Political Commitment and Policy Leadership:** African Union Member States should elevate Global fisheries and aquatic biodiversity Instruments to the highest levels of National policy by integrating ratification, domestication and implementation targets into National development plans, Blue Economy strategies, fisheries policies and environmental management frameworks. Governments should establish high-level inter-ministerial coordination mechanisms involving fisheries, environment, maritime transport, justice, foreign affairs, finance and planning institutions to facilitate coherent implementation of International obligations.
- 2. Accelerate Ratification and Legal Domestication:** Member States that have not yet ratified the UNFSA, the FAO Compliance Agreement and the PSMA should expedite ratification procedures while undertaking comprehensive legal reviews to harmonize National legislation with International obligations. Similar efforts should be undertaken for priority biodiversity and environmental agreements to ensure consistency across legal and institutional frameworks.
- 3. Strengthen Institutional and Technical Capacity:** Member States should invest in strengthening fisheries administrations by recruiting and training specialised personnel, improving scientific research and stock assessment capacity, modernising MCS systems, expanding digital fisheries information systems, and adopting technologies such as VMS, AIS, electronic catch documentation and satellite surveillance to improve compliance and enforcement.
- 4. Enhance Regional Cooperation and Continental Coordination:** AU-IBAR, RECs, RFBs and RFMOs should establish coordinated Regional support mechanisms to facilitate harmonised implementation of Global Instruments, joint surveillance operations, information exchange, Regional scientific collaboration and regular monitoring of Member State progress. Consideration should also be given to establishing an AU Fisheries Governance Support Unit to provide legal, technical and negotiation support to Member States.
- 5. Mobilise Sustainable Financing:** African Union Member States, AU-IBAR and development partners should establish innovative financing mechanisms to support implementation of Global Instruments, including an African Fisheries Compliance and Sustainability Fund. Countries should also leverage climate finance, GEF resources, Blue Economy investment funds, fisheries licence revenues and other domestic financing mechanisms to support implementation and institutional sustainability.

- 6. Promote Integrated Aquatic Biodiversity Governance:** Member States should strengthen coordination between fisheries, biodiversity and environmental institutions to ensure coherent implementation of the CBD, the Kunming-Montreal GBF, the BBNJ Agreement and related Regional Instruments. The NBSAPs should explicitly incorporate fisheries and aquatic biodiversity priorities while strengthening partnerships for research, ecosystem restoration and sustainable fisheries management.
- 7. Strengthen Knowledge Sharing, Awareness and Capacity Development:** AU-IBAR should continue organising Continental and Regional training programmes, policy dialogues and technical workshops to enhance awareness, facilitate exchange of good practices and strengthen Member State capacity for effective implementation. National technical focal points should be established to coordinate implementation processes, monitor progress and disseminate knowledge among stakeholders.
- 8. Institutionalise Monitoring, Evaluation and Accountability:** A Continental monitoring and reporting framework should be established to track progress in ratification, domestication and implementation of Global Instruments. Annual compliance reviews at AU and REC levels should be institutionalised, supported by measurable performance indicators, peer learning and periodic reporting to African Union policy organs to promote accountability and continuous improvement.

These recommendations collectively provide a practical roadmap for transforming the outcomes of the Lomé Workshop into coordinated National, Regional and Continental action, thereby strengthening fisheries governance, conserving aquatic biodiversity and advancing a resilient, inclusive and sustainable African Blue Economy.



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